

REMARKS

Introduction

In response to the Office Action dated May 10, 2007, Applicants have amended claim 1. Claims 28 and 29 have been added. Care has been taken to avoid the introduction of new matter. Support for amended claim 1 is found in, for example, pg. 8, line 29-pg. 9, line 8. Support for new dependent claim 28 is found in, for example, originally filed claim 12. Support for new dependent claim 29 is found in, for example, pg. 9, lines 8-15. Claims 16-23 are withdrawn. As a preliminary matter, claims 10-12 were cancelled in the After-Final Amendment of February 9, 2007. In the instant Office Action, the Examiner entered the After-Final Amendment of February 9, 2007 cancelling these claims. Accordingly, claims 1-9, 13-15, 28, and 29 are pending. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

Double Patenting

Claims 1-15 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,613,151 (hereinafter the '151 Patent). Applicants respectfully request that the Examiner hold this rejection in abeyance until allowable subject matter is obtained in the present application.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-13 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Helling et al. (U.S. Pat. No. 5,882,415, hereinafter "Helling") in view of Dick et al. (U.S. Pat. No. 5,904,958, "Dick"). It is respectfully submitted that the outstanding Office Action of claims 1-9 and 13-15 fail to set forth a prima facie obviousness case.

Amended claim 1 recites, in part, "...each of said plurality of primary plugs comprises a drilled hole, said drilled hole substantially extending the length of the interior transporting the stream of lubricant vapor."

The Office Action admits that Helling fails to teach a plurality of primary plugs. The Office Action relies on Dick in an attempt to cure the deficiencies of Helling.

The Office Action asserts that Dick teaches the use of plugs to introduce the vapor source in the heated chamber and that each of the plugs comprises a drilled hole, the drilled hole substantially extending the length of the plug's interior.

Contrary to the Examiner's assertion, the nozzle 48 of Dick forces the lubricant vapor through the elongate narrow slot opening 60, not the plurality of primary plugs (col. 5, lines 11-14). Dick describes the plurality of primary plugs (52, 54, 56) as alternating push and pull bolts used to *squeeze* the nozzle 48 and the elongate slot opening 60 of the nozzle (Fig. 3; col. 2, lines 3-7). In col. 5, lines 33-42, Dick states:

In the embodiment shown in FIG. 2, the adjustment bolts comprise alternating "push" bolts 52 and "pull" bolts 54. As shown in FIGS. 3 and 4, the push bolts 52 are threaded into the nozzle housing 28 and bear against the nozzle 48. As the **push bolts 52 are tightened, a closing force is applied to the elongate slot opening 60.** The pull bolts 54 pass through a clearance hole in the evaporation chamber 44 and are threaded into the nozzle 48. A jam nut 64 and flat washer 66 are installed on each bolt to facilitate adjustment. The **pull bolts 54 apply opening force to the elongate slot opening 60.**

Dick shows the lubricant vapor traveling from the evaporator 26 to the evaporation chamber 45 through the elongate slot opening 60 of the nozzle 48 (Fig. 5). Dick does not form a drilled hole in the interior of each of the plurality of primary plugs. Dick fails to teach or suggest, at a minimum, "***drilled hole*** substantially extending the length of ***the interior transporting the stream of lubricant vapor,***" as recited in amended claim 1.

Claims 1-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hedgcoth (U.S. Pat. No. 6,036,824, hereinafter “Hedgcoth”) in view of Dick. The Office Action admits that Hedgcoth fails to teach a plurality of primary plugs for supplying a stream of vapor. The Office Action relies on Dick in an attempt to cure the deficiencies of Hedgcoth.

The Office Action asserts that Dick teaches the use of plugs to introduce the vapor source in the heated chamber and that each of the plugs comprises a drilled hole, the drilled hole substantially extending the length of the plug’s interior.

Contrary to the Examiner’s assertion, the nozzle 48 of Dick forces the lubricant vapor through the elongate narrow slot opening 60, not the plurality of primary plugs (col. 5, lines 11-14). Dick describes the plurality of primary plugs (52, 54, 56) as alternating push and pull bolts used to *squeeze* the nozzle 48 and the elongate slot opening 60 of the nozzle (Fig. 3; col. 2, lines 3-7). In col. 5, lines 33-42, Dick states:

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Dick shows the lubricant vapor traveling from the evaporator 26 to the evaporation chamber 45 through the elongate slot opening 60 of the nozzle 48 (Fig. 5). Dick does not form a drilled hole in the interior of each of the plurality of primary plugs. Dick fails to teach or suggest, at a minimum, “***drilled hole*** substantially extending the length of ***the interior transporting the stream of lubricant vapor,***” as recited in amended claim 1.

New Claims

New dependent claim 28 recites, "...wherein the plurality of primary plugs form a pattern in the form of a linear array, a diagonal array, or a rectangular array." Nothing in the cited references teach or suggest the described subject matter. Additionally, dependent claim 29 recites patentably distinguishing features of their own. It is submitted that these new claims distinguish over the cited references.

Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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